IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7542 OF 2005

Pune Municipal Corporation .. Petitioners

Vs.

M/s.Anil Traders .. Respondents

Mr.V.G.Mujumdar for the petitioners

Mr.P S.Dani for the respondents

CORAM : S.U.KAMDAR, J
DATED : 24TH NOVEMBER, 2005

P.C.:

. The learned counsel for the petitioners does not press the present petition. However, trial court Civil Judge, Junior Division, Pune Municipal Corporation is directed to frame the preliminary issue as to the Jurisdiction of that court in the light of the provisions of s.406 of the Bombay Provincial Corporations Act, 1949 in Civil Suit No.717 of 2005. The court is directed to frame the preliminary issue and decide the same expeditiously after giving the parties opportunity to lead oral evidence, if they so desire. Petition

is disposed of accordingly. No order as to costs.